

#12

05-0-1422
(Do Not Write Above This Line)

AN ORDINANCE BY
COUNCIL MEMBERS H. LAMAR WILLIS
AND C.T. MARTIN

AN ORDINANCE TO AMEND THE CODE OF
ORDINANCES OF THE CITY OF ATLANTA,
GEORGIA, SO AS TO ELIMINATE STRICT
VICARIOUS LIABILITY ON THE PART OF
TAXICAB COMPANIES AND CPNC OWNERS
BY AMENDING CHAPTER 162, ARTICLE 2,
SECTION 162-42(K) AND BY ADDING NEW
SECTION 162-46; TO REPEAL CONFLICTING
ORDINANCES; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 7/18/05
Referred To: Public Safety
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION

AN ORDINANCE

BY COUNCILMEMBERS   H. LAMAR WIEGMAN AND C.T. MARTIN

05-0-1422

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO ELIMINATE STRICT VICARIOUS LIABILITY ON THE PART OF TAXICAB COMPANIES AND CPNC OWNERS BY AMENDING CHAPTER 162, ARTICLE 2, SECTION 162-42(k) AND BY ADDING NEW SECTION 162-46; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES

WHEREAS, the City of Atlanta has an interest in maintaining the public health, safety and welfare; and

WHEREAS, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including businesses which involve Vehicles for Hire.

WHEREAS, the taxicab companies and CPNC owners are routinely issued citations for and found in violation of certain ordinances, and are subjected to fines, penalties and other punishment in circumstances where neither the taxicab company nor CPNC owner had prior knowledge or the ability to prevent a driver's ordinance violation.

NOW THEREFORE, the Council of the City of Atlanta, Georgia hereby ordains as follows:

SECTION 1. That Chapter 162, Article 2, Section 162-42(k) of the City of Atlanta Code of Ordinances is hereby amended to delete the current language and insert in lieu thereof the following language so that said section reads as follows.

- (k) It shall be unlawful for drivers to drive any vehicle which does not have a valid inspection sticker, correction slip, valid insurance sticker or any unsealed or improperly working taxi fare meter. It shall be unlawful for companies or CPNC holders with personal knowledge of the circumstances to allow a taxicab to be driven without a valid inspection sticker, correction slip, valid insurance sticker or any unsealed or improperly working taxi fare meter".

SECTION 2. That Chapter 162, Article 2 of the City of Atlanta Code of Ordinances is hereby amended to create a new Section 162-46 to read as follows.

Section 162-46. No Vicarious Liability for CPNC Owners and Taxicab Companies:

No CPNC or taxicab company shall be liable for any fine or other punishment arising out of a violation of this chapter resulting from the conduct of a driver unless it is established beyond a reasonable doubt that the CPNC owner or taxicab company had prior knowledge of the driver's illegal conduct.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.